

**REMARKS**

The present invention relates to an ion exchange membrane electrolytic cell, comprising an anode chamber accommodating an anode, a cathode chamber accommodating a hydrogen-generating cathode, an ion exchange membrane dividing the electrolytic cell into the anode chamber and the cathode chamber, and an elastic cushion formed by winding a metal coil around a corrosion-resistant frame.

In the Office Action dated March 26, 2007, claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by de Nora (U.S. Patent 4,340,452). Claim 1 was further rejected under 35 U.S.C. § 102(b) as being anticipated by Pimlott et al (U.S. Patent 5,599,430).

In the present Amendment, claim 1 has been canceled, and allowed claim 2 has been amended to render the recitation more generic, but retaining the recitation regarding the elastic cushion formed by winding a metal coil around a corrosion-resistant frame, determined by the Examiner in the Office Action to be a basis for patentability over the cited art of record. New claims 10 - 13 have been added, directed to preferred embodiments relating to the presence of an anode current collector and cathode current collector (claim 10), the presence of an anode chamber wall, cathode chamber wall, and the sandwiching of the elastic cushion with respect thereto (claim 11), the preferred embodiment thereof wherein at least one of the anode and cathode use an elastic electrode supporting an electrode catalyst (claim 12), and the further preferred embodiment thereof wherein an electrode current collector is in contact with the elastic electrode for supplying current from the electrode current collector (claim 13). In addition to claim 1, claims 4 - 9 have been canceled.

Applicant respectfully submits that independent claim 2 herein, as well as dependent claims 10 - 13, directly or indirectly depending on claim 2, are all allowable based on the required presence of the elastic cushion formed by winding a metal coil around a corrosion-resistant frame, as recognized by the Examiner at page 3 of the Office Action as basis for patentability.

Early and favorable action is earnestly solicited.

In view of the above, reconsideration and allowance of claims 2 and 10 - 13 of this application are now believed to be in order, and such actions are hereby earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/811,947

Attorney Docket No.: Q80819

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Joseph J. Ruch, Jr.  
Registration No. 26,577

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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